

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C 10-03561 WHA

Plaintiff,

v.

GOOGLE INC.,

**REQUEST FOR FURTHER
BRIEFING RE RULE 50
MOTION**

Defendant.

In connection with both pending Rule 50 motions, please advise what evidence in the trial record addresses the causal mechanism by which Android (which was given away for free) itself added to Google's advertising revenue. That is, in the absence of Android, some other platform would have filled the void — presumably Sun's Java platform, if Oracle is correct — and why wouldn't Google continue to receive advertising revenue from those mobile users? Does the trial record for Phase One explain what, if anything, was special about Android itself (as opposed to other platforms) leading to use of the Google search engine (and thus to greater advertising revenue)? Oracle should please include a response in its reply on **TUESDAY**, and Google should respond by **WEDNESDAY AT NOON**.

The above question potentially goes to the extent of commercialism (factor one) and to the harm caused to the market (factor four).

IT IS SO ORDERED.

Dated: May 23, 2016.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE